

**§ 75.338**

**30 CFR Ch. I (7–1–12 Edition)**

serve the purpose for which it was built.

(e) The mine operator shall—

(1) Notify the District Manager between two and fourteen days prior to commencement of seal construction;

(2) Notify the District Manager, in writing, within five days of completion of a set of seals and provide a copy of the certification required in paragraph (d) of this section; and

(3) Submit a copy of quality control results to the District Manager for seal material properties specified by § 75.335 within 30 days of completion of quality control tests.

(f) *Welding, cutting, and soldering.* Welding, cutting, and soldering with an arc or flame are prohibited within 150 feet of a seal. An operator may request a different location in the ventilation plan to be approved by the District Manager. The operator's request must address methods the mine operator will use to continuously monitor atmospheric conditions in the sealed area during welding or burning; the airflow conditions in and around the work area; the rock dust and water application methods; the availability of fire extinguishers on hand; the procedures to maintain safe conditions, and other relevant factors.

(g) *Sampling pipes.* (1) For seals constructed after April 18, 2008, one non-metallic sampling pipe shall be installed in each seal that shall extend into the center of the first connecting crosscut in by the seal. If an open crosscut does not exist, the sampling pipe shall extend one-half of the distance of the open entry in by the seal.

(2) Each sampling pipe shall be equipped with a shut-off valve and appropriate fittings for taking gas samples.

(3) The sampling pipes shall be labeled to indicate the location of the sampling point when more than one sampling pipe is installed through a seal.

(4) If a new seal is constructed to replace or reinforce an existing seal with

a sampling pipe, the sampling pipe in the existing seal shall extend through the new seal. An additional sampling pipe shall be installed through each new seal to sample the area between seals, as specified in the approved ventilation plan.

(h) *Water drainage system.* For each set of seals constructed after April 18, 2008, the seal at the lowest elevation shall have a corrosion-resistant, non-metallic water drainage system. Seals shall not impound water or slurry. Water or slurry shall not accumulate within the sealed area to any depth that can adversely affect a seal.

[73 FR 21207, Apr. 18, 2008]

**§ 75.338 Training.**

(a) Certified persons conducting sampling shall be trained in the use of appropriate sampling equipment, procedures, location of sampling points, frequency of sampling, size and condition of the sealed area, and the use of continuous monitoring systems if applicable before they conduct sampling, and annually thereafter. The mine operator shall certify the date of training provided to certified persons and retain each certification for two years.

(b) Miners constructing or repairing seals, designated certified persons, and senior mine management officials shall be trained prior to constructing or repairing a seal and annually thereafter. The training shall address materials and procedures in the approved seal design and ventilation plan. The mine operator shall certify the date of training provided each miner, certified person, and senior mine management official and retain each certification for two years.

[73 FR 21208, Apr. 18, 2008]

**§ 75.339 Seals records.**

(a) The table entitled “Seal Record-keeping Requirements” lists records the operator shall maintain and the retention period for each record.

TABLE—§ 75.339(a) SEAL RECORDKEEPING REQUIREMENTS

Record	Section reference	Retention time
(1) Approved seal design .....	75.335(c)(1) .....	As long as the seal is needed to serve the purpose for which it is built.